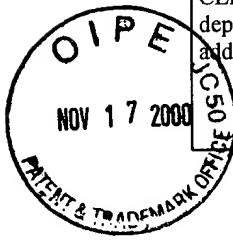


S/N 09/202,634

# 11 Response  
RECEIVED  
DEC 4 2000  
PATENT 12.6.1.a  
TECH CENTER 1600/2900  
12/6/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHUBERT ET AL. Examiner: O. ZAGHMOU  
Serial No.: 09/202,634 Group Art Unit: 1638  
Filed: MARCH 3, 1999 Docket No.: 9725.13USWO  
Title: OZONE-INDUCED GENE EXPRESSION IN PLANTS



CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on November 13, 2000.

By: J. J. Gresens  
Name:

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RESPONSE TO NOTICE TO COMPLY AND  
CERTIFICATE REGARDING SEQUENCE LISTING

NOV 29 2000

Box Sequence  
Assistant Commissioner for Patents  
Washington, D.C. 20231



Dear Sir:

This paper is being filed in response to the Examiner's communication mailed October 4, 2000. In response to the Notice to Comply and in accordance with the requirements of 37 C.F.R. § 1.821 - § 1.825, Applicants enclose herewith a computer readable form of the Sequence Listing. In addition, a paper copy of the Sequence Listing is also provided. Please insert the paper copy into the file after the Executed Oath or Declaration, as required by 37 C.F.R. § 1.77(a)(15). Applicants hereby state that the computer readable form and the paper copy of the Sequence Listing enclosed do not include new matter.

Pursuant to the Examiner's request, also enclosed is a copy of the Notice to Comply with the sequence listing rules.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 11/13/2000

J. J. Gresens  
John J. Gresens  
Reg. No. 33,112  
JJG:KMC:PSTkaw

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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

DEC 04 2000

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

*NOV 17 2000* *USPTO*  
PATENT & TRADEMARK OFFICE

This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: \_\_\_\_\_

**Applicant Must Provide:**

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

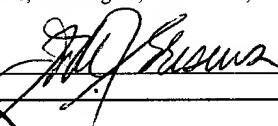
PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 1 2000

Applicant: SCHUBERT ET AL. Examiner: O. ZAGHMOUT DEC 04 2000  
Serial No.: 09/202,634 Group Art Unit: 1638  
Filed: MARCH 3, 1999 Docket: 9725.13USWO TECH CENTER 1600/2900  
Due Date: DECEMBER 4, 2000  
Title: OZONE-INDUCED GENE EXPRESSION IN PLANTS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Box Sequence Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2000.

By: 

Box Sequence  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Request for Extension of Time for one month(s) and fee of \$110.00
- Computer readable form of Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- Other: Response to Notice to Comply and Certificate Regarding Sequence Listing, copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures and Change of Address
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: John J. Gresens  
Reg. No.: 33,112  
JJG:KMC:PSTkaw

